

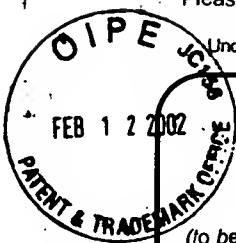
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/993,906

Filing Date November 27, 2001

First Named Inventor Jax B. Cowden

Group Art Unit 2152

Examiner Name not yet known

Attorney Docket Number 10005.000120

Total Number of Pages in This Submission

6 **

RECEIVED

FEB 15 2002

Technology Center 2100

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

Form PTO/SB/08;

Copies of Listed References:

[3 US Application(s)];

Return receipt postcard

Remarks

** does not include pages for listed references

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Patrick D. Benedicto, Reg. No. 40,909
DEGUZMAN OKAMOTO & BENEDICTO, LLP

Signature

Patrick Benedicto

Date

January 23, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 01/23/02

Typed or printed name

Patrick D. Benedicto

Signature

Patrick Benedicto

Date

Jan. 23, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jax B. Cowden, et al.

Serial No. 09/993,906

Examiner: not yet known

Filed: November 27, 2001

Art Unit: 2152

Title: Method and Apparatus for
Distributing a Computer Program

Atty. Dkt. No.: 10005.000120

RECEIVED

FEB 15 2002

Technology Center 2100

Commissioner of Patents
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

Under 37 C.F.R. §1.56 and §§1.97-98

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

- ☒ 37 CFR §1.97(b).
- ☐ 37 CFR §1.97(c). If so, then either:
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.
 - OR
 - ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
- ☐ 37 CFR § 1.97(d). If so, then both:
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.
 - AND
 - ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

Jax B. Cowden, et al.

Dated: 1-23-02

By: Patrick D. Benedicto
Patrick D. Benedicto
Attorney For Applicant(s)
Reg. No. 40,909
DEGUZMAN OKAMOTO & BENEDICTO LLP
P.O. Box 51900
Palo Alto, CA. 94303
Tel.: (650) 691-2030
Fax: (650) 691-2032

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:	<u>Patrick Benedicto</u>		
Typed or Printed Name:	Patrick D. Benedicto	Dated:	Jan. 23, 2002
Express Mail Mailing Number (optional):			

+

 $+$

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application Number	09/993,906
Filing Date	November 27, 2001
First Named Inventor	Jax B. Cowden
Group Art Unit	2152
Examiner Name	not yet known
Attorney Docket Number	10005.000120

Sheet	1	of	2	Attorney Docket Number	10005.000120
-------	---	----	---	------------------------	--------------

[illegible]

RECEIVED
FEB 15 2002
Technology Center 2100

[illegible]

**Examiner
Signature**

Date
Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	09/993,906
Filing Date	November 27, 2001
First Named Inventor	Jax B. Cowden
Group Art Unit	2152
Examiner Name	not yet known
Attorney Docket Number	10005.000120

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A	US Application No.09/993,887, Filed on November 27, 2001, by Jax B. Cowden, et al.	
	B	US Application No.09/993,888, Filed on November 27, 2001, by Mark E. Pennell, et al.	
	C	US Application No.09/993,904, Filed on November 27, 2001, by Jax B. Cowden, et al.	

RECEIVED

FEB 15 2002

Technology Center 2100

Examiner
Signature

Date
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.